

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 10 FEB 2006

WIPO

PCT

Applicant's or agent's file reference LA 03.1246WO		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/NL2004/000735		International filing date (day/month/year) 18.10.2004		Priority date (day/month/year) 16.10.2003
International Patent Classification (IPC) or national classification and IPC E04F15/02, E04F13/08				
Applicant EASY TILE				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 25.05.2005		Date of completion of this report 13.02.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Ayiter, J Telephone No. +31 70 340-3117		



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/NL2004/000735

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☒ This report is based on translations from the original language into the following language english, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☒ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-9 as originally filed

Claims, Numbers

1-15 received on 26.10.2005 with letter of 26.10.2005

Drawings, Sheets

1/3-3/3 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/NL2004/000735

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	3-6,8,9,13
	No: Claims	1,2,7,10-12,14,15
Inventive step (IS)	Yes: Claims	3-6,9
	No: Claims	1,2,7,8,10-15
Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/NL2004/000735

re Item V

- 1.1 Document US-A-4590731 discloses a tile mounting system comprising at least one substantially flat grid element comprising a number of mutually intersecting walls (13) which bound tile compartments lying there between, wherein the walls are adapted to receive a tile fitting in a tile compartment there between.
- 1.2 Said prior grid elements are as in the present invention manufactured by moulding, implicitly injection-moulding, of plastic, hence also resulting in an at least substantially form-retaining grid element. The document thus deprives claim 1 of novelty, Article 33(2) PCT, the objection applying mutatis mutandis to method claim 14. The document further discloses the features introduced by claims 11, 12 and 15.
2. Document FR-A-2063391 also discloses a tile mounting system having all the features recited in claim 1 and further reads on claims 2, 7, 10, 14 and 15.
3. Dependent claims 8 and 13 do not appear to support an inventive step, Article 33(3) PCT as the features thereby introduced are known for the same purpose from US-A-4590731 (for claim 8) or from US-A-5323675 (for claim 13). Conversely, the features introduced by any of claims 3-6, 9 are not fairly derivable from the state of the art rendered available.

Amended claims

1. Tile mounting system, comprising at least one substantially flat grid element comprising a number of mutually intersecting walls which bound tile compartments lying therebetween, wherein the walls are adapted to receive a tile fitting in a tile compartment therebetween, characterized in that the grid element is at least substantially form-retaining.
2. Mounting system as claimed in claim 1, characterized in that the grid element, for the purpose of receiving and mounting a tile thereon, extends partially along the walls within the compartments.
3. Mounting system as claimed in claim 2, characterized in that the grid element is provided along the walls within the compartments with a glue bead for receiving a tile thereon.
4. Mounting system as claimed in claim 3, characterized in that the glue bead also at least partially forms a moisture seal to the walls of the grid element which bound the compartment.
5. Mounting system as claimed in one or more of the foregoing claims, characterized in that the walls are provided on their side directed toward a tile compartment with a moisture seal for receiving a tile thereagainst.
6. Mounting system as claimed in claim 5, characterized in that the moisture seal comprises a flexible strip extending in the tile compartment.
7. Mounting system as claimed in one or more of the foregoing claims, characterized in that the grid element extends partially within the compartments and is provided with fastening provisions for fixing the grid element to a surface for tiling.

8. Mounting system as claimed in claim 7, characterized in that the fastening provisions comprise continuous bores for receiving an anchoring element therein.

9. Mounting system as claimed in claim 7, characterized in that the fastening provisions comprise gutters which are arranged in the walls and which open on a rear side of the grid element and are adapted to receive an adhesive therein.

10. Mounting system as claimed in claim 7, characterized in that the fastening provisions comprise a self-adhesive layer arranged on a rear side of the grid element.

11. Mounting system as claimed in one or more of the foregoing claims, characterized in that the grid element is provided on a periphery with coupling members which are able to co-act with coupling members of a further grid element to form a substantially form-retaining mutual connection.

12. Mounting system as claimed in claim 11, characterized in that the coupling members comprise a snap member on a first grid element and a complementary snap cavity on the further grid element which extend from outer ends of walls of the two grid elements directed toward each other.

13. Mounting system as claimed in claim 11, characterized in that the coupling members comprise a groove on a first grid element and a complementary rib on the further grid element which extend from walls of the two grid elements directed toward each other.

14. Method for tiling a surface, characterized in that a mounting system as claimed in one or more of the foregoing claims is fixed to the surface and that tiles are then placed in compartments provided for this purpose in a grid element of the mounting system.

10-2005 18:16 FAX

→ EPO-NL
006 26.10.2005 NL0400735

3

15. Method as claimed in claim 14, characterized in that the tiles in the compartments are fastened to the grid element.